

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**JOEL SCHNEIDER**  
UNITED STATES MAGISTRATE JUDGE

MITCHELL H. COHEN COURTHOUSE  
1 John F. Gerry Plaza, Room 2060  
CAMDEN, NJ 08101-0887  
(856) 757-5446

**LETTER ORDER  
ELECTRONICALLY FILED**  
November 6, 2008

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Re: **Marino v. Adamar of New Jersey**  
**Civil No. 05-4528 (RMB)**

Dear Counsel:

This Letter Order shall serve as an amendment to the Final Pretrial Order entered on October 31, 2008. [Doc. No. 65].

The Court received plaintiff's November 3, 2008 letter. For the reasons discussed herein the Court vacates its previous Order sustaining defendant's objections to plaintiff's witnesses M. Tucker, J. Bond, B. Copeland and W. Mohnack. The Court should not have entered the Final Pretrial Order until it received defendant's November 3, 2008 letter which was timely served.

As to Tucker, she was previously identified by plaintiff and therefore she was properly named as a trial witness. As to Bond, Copeland and Mohnack, the Court will permit plaintiff to name them as trial witnesses. The naming of these witnesses should not be a surprise to defendant. In addition, to cure any prejudice to defendant, the Court grants defendant leave to depose these witnesses by December 8, 2008. Defendant may not depose Tucker because she was previously identified.

Very truly yours,

*s/ Joel Schneider*

JOEL SCHNEIDER  
United States Magistrate Judge

JS:jk

cc: Hon. Renée Marie Bumb